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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,762	09/01/2006	Timo Tokkonen	IHN 065.WUS	7880
76385 7590 07/16/2010 Hollingsworth & Funk 8500 Normandale Lake Blvd., Suite 320 Minneapolis, MN 55437				
EXAMINER				
NGUYEN, SIMON				
ART UNIT		PAPER NUMBER		
2618				
MAIL DATE		DELIVERY MODE		
07/16/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/591,762

**Applicant(s)**

TOKKONEN ET AL.

**Examiner**

SIMON D. NGUYEN

**Art Unit**

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1.6-11, 13-21, 23, 26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1.6-11, 13-21, 23, 26 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see Appeal Brief, filed 9/22/09, with respect to the rejection(s) of claim(s) 1, 6-11, 13-21, 23-25 under Miller in view of Back have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 6-7, 13, 15-16, 21, 23, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hepworth et al. (US 7,240,831 B2).

Regarding claim 1, Hepworth discloses an RF tag reader (104) for reading a plurality of RF tags (102a-b) (figs. 1, 3B, 4, 6, 14), comprising: the RF tags may be inserted into printable documents that contain representation of objects and the RF tag reader reads to obtain data from the tags (column 1 lines 50-61), wherein each tag includes software instructions relating to an operation described in the documents and associated with the RF tag (abstract, column 2 lines 59-67, column 3 line 58 to column 4 line 29, column 5 lines 1-39, column 5 line 65 to column 6 line 37, column 7 lines 33-

48). It should be noted that the Hepworth discloses the tags inserted in the documents, for a user to obtain information (column 1 lines 26-61), for example, in fig.1, there are a plurality of data ID tag 102b, which means the tags can be respectively inserted in a plurality of pages of a user manual (document), which is known to those skilled in the art (or see fig. 1 of Black et al. (US 6,655,586) in the Action filed 6/4/09 for inserting tags in a plurality of pages of a book or document).

Regarding claim 15, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 23, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 6, Hepworth further discloses a program used in reading information in the tags (column 3 lines 11-19, column 5 lines 1-19) which means Hepworth discloses the operation of tag reader is automatically performed.

Regarding claim 7, Hepworth further discloses the operation is performed in a tutorial way (by steps) (column 6 lines 22-49).

Regarding claims 13 and 16, Hepworth discloses a processor 1362 of fig.13 to start reading the tag (figs. 1-2, 6, 11, 13).

Regarding claim 21, this claim is rejected for the same reason as set forth in claim 1 as a portion of claim 1.

Regarding claim 27, Hepworth discloses the tag reader reading the tag (figs. 3A-C), wherein the tag reader can read the tag at a distance (via Bluetooth, or IR) or touch the reader to the tag which is known to those skilled in the art.

4. Claims 8, 10-11, 14, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hepworth et al. (US 7,240,831 B2) in view of Hoshino et al. (US 2003/0095032 A1).

Regarding claims 8 and 17, Hepworth fails to teach reading tags within a predetermined time.

Hoshino discloses a tag reader for reading a plurality of tags (abstract, fig.1) to obtain information stored therein, wherein each tag reading within a predetermined time, when the predetermined time has passed, the tag reading is released (paragraphs 88, 93). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Hepworth, modified by Hoshino in order to prevent breaking in the tag to obtain information illegally.

Regarding claims 10, 18-20, Hepworth/Hoshino discloses the tag reader reading different RF tags, wherein new attached RF tags can be added in documents at any moment of time, therefore, the tag reader/ and a computer need to be updated instructions to deal with the new attached tags which is known to those skilled in the art.

Regarding claim 11, Hoshino discloses reading the tag within a predetermined time (paragraphs 88, 93).

Regarding claim 14, Hoshino further discloses the tag reader is a mobile phone (fig.1).

5. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hepworth et al. (US 7,240,831 B2) in view of Back et al. (US 6,655,586 B1).

Regarding claim 26, Hepworth fails to teach positioned on different ends of neighboring pages.

Back discloses each page of a plurality of pages attached by a RF tag (figs. 1-3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Hepworth, modified by Back in order to easily access an additional information embedded in a tag by a tag reader.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hepworth et al. (US 7,240,831 B2) in view of Hoshino et al. (US 2003/0095032 A1), and further in view of Landt (US 6,677,852).

Regarding claim 9, Hepworth discloses a step-by-step operation (column 6 lines 22-49). However, Hepworth fails to teach performing by a user.

Landt discloses a tag reader for reading a plurality of tags (abstract, fig.1) to obtain information stored therein, wherein a step-by-step operation is performed by a user (column 7 lines 30-065, column 10 lines 21-67). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Hepworth and Hoshino, modified by Landt in order to correct a problem it may cause by inconsistent programming which will improve the system performance.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (571) 272-7894. The examiner can normally be reached on Monday-Friday from 7:00 AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc M. Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 14, 2010

/SIMON D NGUYEN/

Primary Examiner, Art Unit 2618